

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
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M&T Bank



Order Filed on December 20, 2016
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:
Marylin Kirkpatrick

Debtor.

Case No.: 13-29261-VFP

Adv. No.:

Hearing Date: 12/01/2016 @ 11:00 a.m.

Judge: Vincent F. Papalia

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: December 20, 2016



Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: Marylin Kirkpatrick

Case No: 13-29261-VFP

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 870 Apgar Terrace, Rahway, NJ 07065, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Scott Miller, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 1, 2016 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due September 2016 through December 2016 for a total post-petition default of \$6,461.81, less a suspense balance of \$128.55 (4 @ \$1,647.59); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make a lump sum payment totaling \$3,295.18 by December 31, 2016; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,166.63 will be paid by Debtor remitting \$527.78 per month in addition to the regular monthly mortgage payment, which additional payments shall begin on January 1, 2017 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2017, directly to Secured Creditor, M&T Bank, P.O. Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees, totaling \$526.00, which is to be paid through Debtors' Chapter 13 plan; and

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Debtor: Marilyn Kirkpatrick

Case No: 13-29261-VFP

Caption of Order: ORDER CURING POST-PETITON ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief
is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Marylin Kirkpatrick
Debtor

Case No. 13-29261-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Dec 21, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 23, 2016.

db +Marylin Kirkpatrick, 870 Apgar Terrace, Rahway, NJ 07065-2101

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 23, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 21, 2016 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor M&T BANK bnicholas@kmlawgroup.com,
bkgroup@kmlawgroup.com
Brian E Caine on behalf of Creditor HUDSON CITY SAVINGS BANK bcaine@parkermccay.com,
BKcourtnotices@parkermccay.com
Brian E Caine on behalf of Creditor HUDSON CITY SAVINGS BANK, a federally chartered savings
bank organized and existing under the laws of the State of Delaware bcaine@parkermccay.com,
BKcourtnotices@parkermccay.com
Brian E Caine on behalf of Creditor M&T Bank, et al bcaine@parkermccay.com,
BKcourtnotices@parkermccay.com
Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Joel A. Ackerman on behalf of Creditor HUDSON CITY SAVINGS BANK, a federally chartered
savings bank organized and existing under the laws of the State of Delaware
bankruptcynotice@zuckergoldberg.com
Marie-Ann Greenberg magecf@magtrustee.com
Michael S. Ackerman on behalf of Creditor HUDSON CITY SAVINGS BANK, a federally chartered
savings bank organized and existing under the laws of the State of Delaware
bankruptcynotice@zuckergoldberg.com
Scott R. Miller on behalf of Debtor Marylin Kirkpatrick srmbk@optonline.net

TOTAL: 9